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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/283,545	04/01/1999	YEVGENIY EUGENE SHTEYN	PHA-23.633	1179

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11/08/2002

CORPORATE INTELLECTUAL PROPERTY
c/o PHILIPS ELECTRONICS N. AMERICA CORP.
1000 WEST MAUDE AVENUE
SUNNYVALE, CA 94085

EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 11/08/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/283,545

Applicant(s)

SHTEYN, YEVGENIY EUGENE

Examiner

Bob Chevalier

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 2-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2, 4-8, 10-13, 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Browne et al.

Browne et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 4, and 10-12, including the feature of enabling the user to select the content information for recording and selecting at least one from multiple locations for play-out of the recorded selected content information (See Browne et al's Figures 1, and 3), and the feature of recording the selected content information wherein the specific location has a recording system and the recording takes place at the specific location as specified in the present claims 4, and 10-12. (See Browne et al's page 6, lines 21-32).

With regard to claims 2, 8, and 13, the feature of the content information being selected from a broadcast or a multicast program guide as specified thereof is present in Browne et al. (See Browne et al's Figures 5b and 7).

With regard to claims 5, and 16, the feature of recording the content information at a first recording system as specified thereof is present in Browne et al. (See Browne et al's Figure 1, component 104).

With regard to claims 6, and 15, the feature of the specific location including a recording system as specified thereof is present in Browne et al. (See Browne et al's page 6, lines 21-32).

With regard to claim 7, the feature of the supplying comprises streaming over the Internet as specified thereof is present in Browne et al. (See Browne et al's Figure 5b).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 9, and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Browne et al in view of Yang.

Browne et al discloses a recording/reproducing apparatus that shows substantially the same limitation recited in claims 3, 9, and 14, including the feature of playback the recorded information as specified in the present claims 3, 9, and 14. (See Browne et al's Figure 1).

Browne et al fails to specifically disclose the feature of the end user specifying a time frame for making the recorded content information available for play-out at the specific location as specified in the present claims 3, 9, and 14.

Yang does disclose a video recording/reproducing apparatus that shows the capability of specifying the time for playing back the recorded signal as specified in the present claims 3, 9, and 14. (See Yang's abstract).

It would have been obvious to one skilled in the art to modify the Browne et al's apparatus wherein the recoding/reproducing means provided thereof would incorporate the capability of specifying the time for playing back the recorded signal in the same conventional manner as shown by Yang. The motivation being to automatically watch the recorded video signal at a desired time as suggested by Yang, thereby making the apparatus more efficient.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

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B. Chevalier
October 30, 2002


ROBERT CHEVALIER
PRIMARY EXAMINER